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ATC 11700 #78
RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1772
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:
Yves Trouilhet

CASE NO.: AD6530

APPLICATION NO.: 09/486,744

CONFIRMATION NO.:

GROUP ART UNIT: 1772

EXAMINER: SOW FUN HON

FILED: MARCH 1, 2000

FOR: PACKAGING MATERIAL

RESPONSE

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Assistant Commissioner for Patents
Washington, DC 20231

SEP 30 2002

TC 1700

Attention: Box AF

Sir:

In response to the Office Action dated June, 18, 2002, wherein Claims 1-7 were rejected, the Applicant requests reconsideration of the rejection in view of the following remarks.

REMARKS

Claims 1-7 stand rejected under 35 USC §112, second paragraph. In a conversation with the Examiner, the Examiner indicated that the rejection was made in order to note that the reference uses units which are different from those used in the Applicant's application, and that the Applicant should be aware of the difference when making the response to the Examiner.

While the Applicant understands the Examiner's intent, the Applicant is obligated to argue that the rejection under §112 is not supported, because the Applicant has clearly stated what units are being used to define the Applicant's invention. Even though these units do not conform with the units used in the referenced art, it is not the Applicant's burden to describe the present invention in the same manner as the cited art. The Applicant's units do conform with ASTM 3985 method defined in

To: Examiner
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